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JCS72 U.S. PTO  
09/95692

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J1135 U.S. PTO

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

Attorney Docket No. 003493.00347

First Inventor Boroditsky et al.

Title METHOD FOR PROVIDING HIGH CONNECTIVITY  
COMMUNICATIONS OVER A PACKET-SWITCHED OPTICAL RING  
NETWORK USING COMPOSITE PACKETS (as amended)

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APPLICATION ELEMENTS		ADDRESS TO:		
See MPEP chapter 600 concerning utility patent application contents.		Assistant Commissioner for Patents Box Patent Application Washington, DC 20231		
1. <input checked="" type="checkbox"/> Fee Transmittal Form (e.g., PTO/SB/17) <i>(Submit an original and a duplicate for fee processing)</i>		7. <input type="checkbox"/> CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)		
2. <input type="checkbox"/> Applicant claims small entity status. <i>See 37 CFR 1.27.</i>		8. Nucleotide and/or Amino Acid Sequence Submission <i>(if applicable, all necessary)</i>		
3. <input checked="" type="checkbox"/> Specification [Total Pages 35] <i>(preferred arrangement set forth below)</i> - Descriptive title of the Invention - Cross Reference to Related Applications - Statement Regarding Fed sponsored R & D - Reference to sequence listing, a table, or a computer program listing appendix - Background of the Invention - Brief Summary of the Invention - Brief Description of the Drawings ( <i>if filed</i> ) - Detailed Description - Claim(s) - Abstract of the Disclosure		a. <input type="checkbox"/> Computer Readable Form (CRF) b. Specification Sequence Listing on: i. <input type="checkbox"/> CD-ROM or CD-R (2 copies); or ii. <input type="checkbox"/> paper c. <input type="checkbox"/> Statements verifying identity of above copies		
4. <input checked="" type="checkbox"/> Drawing(s) (35 U.S.C.113) [Total Sheets 28]		9. <input type="checkbox"/> Assignment Papers (cover sheet & document(s))		
5. Oath or Declaration [Total Pages 4]		10. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input type="checkbox"/> Power of <i>(when there is an assignee)</i> Attorney		
a. <input type="checkbox"/> Newly executed (original or copy) b. <input checked="" type="checkbox"/> Copy from a prior application (37 CFR 1.63 (d)) <i>(for a continuation/divisional with Box 18 completed)</i> i. <input type="checkbox"/> <b>DELETION OF INVENTOR(S)</b> <i>Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).</i>		11. <input type="checkbox"/> English Translation Document ( <i>if applicable</i> )		
6. <input checked="" type="checkbox"/> Application Data Sheet. See 37 CFR 1.76		12. <input checked="" type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 13. <input checked="" type="checkbox"/> Preliminary Amendment 14. <input checked="" type="checkbox"/> Return Receipt Postcard (MPEP 503) <i>(Should be specifically itemized)</i> 15. <input type="checkbox"/> Certified Copy of Priority Document(s) <i>(if foreign priority is claimed)</i> 16. <input checked="" type="checkbox"/> Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent. 17. <input type="checkbox"/> Other: _____		
18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: <input type="checkbox"/> Continuation <input checked="" type="checkbox"/> Divisional <input type="checkbox"/> Continuation-in-part (CIP)      of prior application No: 09 / 973,699 Prior application information: Examiner Unassigned      Group / Art Unit: UNASSIGNED				
<b>For CONTINUATION or DIVISIONAL APPS only:</b> The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.				
<b>17. CORRESPONDENCE ADDRESS</b>				
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## FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$ 1160)

**Complete if Known**

Application Number	TBD
Filing Date	November 29, 2001
First Named Inventor	Boroditsky et al.
Examiner Name	Unassigned
Group / Art Unit	Unassigned
Attorney Docket No.	003493.00347

METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)																																																																																																																																																				
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:</p> <p>Deposit Account Number: 19-0733</p> <p>Deposit Account Name: Banner &amp; Witcoff, Ltd</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status See 37 CFR 1.27</p>				<p><b>3. ADDITIONAL FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 15%;">Fee Code</th> <th style="text-align: left; width: 15%;">Large Entity Fee (\$)</th> <th style="text-align: left; width: 15%;">Small Entity Fee (\$)</th> <th style="text-align: left; width: 50%;">Fee Description</th> <th style="text-align: right; width: 15%;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65 Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25 Surcharge - late provisional filing fee or cover sheet.</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130 Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520 For filing a request for reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920* Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840* Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55 Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>400</td><td>216</td><td>200 Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>920</td><td>217</td><td>460 Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,440</td><td>218</td><td>720 Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,960</td><td>228</td><td>980 Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>320</td><td>219</td><td>160 Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>320</td><td>220</td><td>160 Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>280</td><td>221</td><td>140 Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510 Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55 Petition to revive – unavoidable</td><td></td></tr> <tr><td>141</td><td>1,280</td><td>241</td><td>640 Petition to revive – unintentional</td><td></td></tr> <tr><td>142</td><td>1,280</td><td>242</td><td>640 Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>460</td><td>243</td><td>230 Design issue fee</td><td></td></tr> <tr><td>144</td><td>620</td><td>244</td><td>310 Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130 Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50 Processing fee under 37 CFR 1.17 (q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180 Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40 Recording each patent assignment per property (times number of properties)</td><td></td></tr> <tr><td>146</td><td>740</td><td>246</td><td>370 Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>740</td><td>249</td><td>370 For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>740</td><td>279</td><td>370 Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900 Request for expedited examination of a design application</td><td></td></tr> </tbody> </table>				Fee Code	Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65 Surcharge - 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<p>2. <input type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check    <input type="checkbox"/> Credit card    <input type="checkbox"/> Money Order    <input type="checkbox"/> Other</p>				<p><b>Fee Calculation</b></p> <p><b>1. BASIC FILING FEE</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 15%;">Large Entity Fee Code</th> <th style="text-align: left; width: 15%;">Fee (\$)</th> <th style="text-align: left; width: 15%;">Small Entity Fee Code</th> <th style="text-align: left; width: 50%;">Fee Description</th> <th style="text-align: right; width: 15%;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>101</td><td>740</td><td>201</td><td>370 Utility filing fee</td><td>740</td></tr> <tr><td>106</td><td>330</td><td>206</td><td>165 Design filing fee</td><td></td></tr> <tr><td>107</td><td>510</td><td>207</td><td>255 Plant filing fee</td><td></td></tr> <tr><td>108</td><td>740</td><td>208</td><td>370 Reissue filing fee</td><td></td></tr> <tr><td>114</td><td>160</td><td>214</td><td>80 Provisional filing fee</td><td></td></tr> </tbody> </table> <p><b>SUBTOTAL (1) (\$ 740)</b></p> <p><b>2. EXTRA CLAIM FEES</b></p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 15%;">Total Claims</th> <th style="text-align: left; width: 15%;">Extra Claims</th> <th style="text-align: left; width: 15%;">Fee from below</th> <th style="text-align: left; width: 50%;">Fee Paid</th> </tr> </thead> <tbody> <tr><td>34</td><td>-20 **</td><td>= 14</td><td>X 18 = 252</td></tr> <tr><td>Independent Claims</td><td>5</td><td>-3 **</td><td>= 2 X 84 = 168</td></tr> <tr><td>Multiple Dependent</td><td></td><td></td><td>X 0 = 0</td></tr> </tbody> </table> <p><b>SUBTOTAL (2) (\$ 420)</b></p> <p>** or number previously paid, if greater, For Reissues, see above</p>				Large Entity Fee Code	Fee (\$)	Small Entity Fee Code	Fee Description	Fee Paid	101	740	201	370 Utility filing fee	740	106	330	206	165 Design filing fee		107	510	207	255 Plant filing fee		108	740	208	370 Reissue filing fee		114	160	214	80 Provisional filing fee		Total Claims	Extra Claims	Fee from below	Fee Paid	34	-20 **	= 14	X 18 = 252	Independent Claims	5	-3 **	= 2 X 84 = 168	Multiple Dependent			X 0 = 0																																																																																																			
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Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

**SUBTOTAL (3)**

(\$ 0)

SUBMITTED BY						Complete (if applicable)	
Name (Print/Type)	Catherine A. Ferguson	Registration No. Attorney/Agent)	40,877	Telephone	202-508-9100		
Signature	<i>Catherine A. Ferguson</i>				Date	11/29/01	

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<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor	Boroditsky et al.
	Title	METHOD FOR PROVIDING HIGH CONNECTIVITY COMMUNICATIONS OVER A PACKET-SWITCHED OPTICAL RING NETWORK USING COMPOSITE PACKETS (as amended)
	Atty Docket Number	003493.00347

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

11/29/01

Date

*Catherine A. Ferguson*

Signature

Catherine A. Ferguson

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

Burden Hour Statement: This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.